

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UMG RECORDINGS, INC., a Delaware
corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; BMG MUSIC, a New York general
partnership; CAPITOL RECORDS, INC., a
Delaware corporation; and WARNER BROS.
RECORDS INC., a Delaware corporation,

Plaintiffs,

-against-

CAROLYN FUCHS,

Defendant.

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x

Civil Action No.: 05CV1102 (DGT)

Filed Electronically

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ MAY 19 2005 ★

P.M. _____
TIME A.M. _____

~~20090910~~ **DEFAULT JUDGMENT AND PERMANENT INJUNCTION**

Based upon Plaintiffs' Application For Default Judgment By The Court, and good
cause appearing therefor, it is hereby Ordered and Adjudged that:

1. Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs'
copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum
of Six Thousand Dollars (\$6,000.00).

2. Defendant shall pay Plaintiffs' costs of suit herein in the amount of Three
Hundred and Fifteen Dollars (\$315.00).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Black Balloon," on album "Dizzy Up the Girl," by artist "Goo Goo Dolls" (SR# 246-538);
- "A Long December," on album "Recovering The Satellites," by artist "Counting Crows" (SR# 226-415);
- "Crash And Burn," on album "Affirmation," by artist "Savage Garden" (SR# 276-120);
- "Baby I Would," on album "O-Town," by artist "O-Town" (SR# 294-872);
- "Serve The Servants," on album "In Utero," by artist "Nirvana" (SR# 172-276);
- "Slow Ride," on album "Second Hand Smoke," by artist "Sublime" (SR# 246-011);
- "Seed," on album "Sublime," by artist "Sublime" (SR# 224-105);
- "Is There Anybody Out There?," on album "The Wall," by artist "Pink Floyd" (SR# 14-787);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall

destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: May 9, 2005

By: s/David G. Trager
Hon. David G. Trager
United States District Judge